

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1292 OF 2005
IN
SECOND APPEAL NO.785 OF 2005**

Smt Tanubai Anna Lokare & Anr. ...Applicants
Vs.
Shri Balu Dashratha Lokare & Anr. ...Respondents

Ms Prabhu i/by N.V. Bandiwadekar for the Applicants.
Mr Girish R. Agrawal for the Respondent No.1.
Mr S.R. Page for the Respondent No.2.

**CORAM : A. S. OKA, J.
DATE : MARCH 14, 2006.**

P.C.:

1. Heard the Counsel appearing for the parties. My attention has been invited to order dated 08th April, 2004 passed during pendency of Appeal in the First Appellate Court. The Appeal in the First Appellate Court was preferred by the Respondent No.1 herein. The Respondent No.1 succeeded in the Appeal and decree passed in favour of the Appellants was set aside.

2. I have perused the affidavit-in-reply filed by the Respondent No.1. Considering the facts and circumstances of the case, the Respondent No.1 is liable to pay maintenance at the rate of Rs.1,000/- per month to the Applicant No.1 till the final disposal of the Appeal.

3. As the Second Appeal is admitted for final hearing, limited interim relief in terms of prayer clause (b) deserves to be granted.

4. Hence, Civil Application is disposed of by passing following order:

(i) Till the final disposal of the Second Appeal there will be interim relief in terms of prayer clause (b).

(ii) Till the final disposal of the Second Appeal, the Respondent No.1 is directed to pay interim maintenance at the rate of Rs.1,000/- per month to the Applicant No.1. Payment of interim maintenance will start with effect from April 2006. The payment will be made on or before tenth day of every calendar month.

(iii) No orders as to costs.

JUDGE